



Entered on Docket  
January 07, 2008

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,  
USA CAPITAL REALTY ADVISORS, LLC,  
USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
LLC,  
USA CAPITAL FIRST TRUST DEED FUND, LLC,  
USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

Hearing Date: December 20, 2007  
Hearing Time: 9:30 a.m.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

**ORDER DENYING WITHOUT PREJUDICE THE NINTH OMNIBUS  
OBJECTION OF THE USACM LIQUIDATING TRUST TO PROOFS OF CLAIM  
FOR LACK OF DOCUMENTATION**

Pending before the Court is the USACM Liquidating Trust's (the "USACM Trust") Ninth Omnibus Objection to Proofs of Claim for Lack of Documentation ("Objection") [DE 5373]. The Court heard the Objection on December 20, 2007 and determined that the USACM Trust had improperly noticed the objection. Accordingly,

IT IS ORDERED denying the Objection without prejudice.

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PREPARED AND SUBMITTED:

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)

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APPROVED:

**OFFICE OF THE U.S. TRUSTEE**



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1 In accordance with Local Rule 9021, the undersigned certifies:

- 2 ☐ The Court waived the requirements of LR 9021.
- 3 ☒ I have delivered a copy of this proposed order to all attorneys and unrepresented
- 4 parties who have appeared at the hearing regarding this matter and/or who filed
- 5 a written objection and each has:
- 6 ☒ approved the form of this order;
- 7 ☐ waived the right to review the order;
- 8 ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
- 9 ☐ failed to sign and return this proposed order within five (5) business days
- 10 in accordance with LR 9021(b).
- 11 ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented
- 12 parties who appeared at the hearing regarding this matter and/or who filed a
- 13 written objection and all have either approved the form of this order, waived the
- 14 right to review the order, failed to file and serve papers in accordance with LR
- 15 9021(c) and the following have disapproved the form of the order.
- 16 ☐ No opposition was filed and no other party or counsel appeared at the hearing.

17 **LEWIS AND ROCA LLP**

18 By: /s/ RC (#0006593)

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